

To: Kellmeyer, Joseph[JKELLMEYER@thompsoncoburn.com]
Cc: Kemper, Ryan Russell[rkemper@thompsoncoburn.com]; Garypie, Catherine[garypie.catherine@epa.gov]; Krallman, John[krallman.john@epa.gov]; Steinbauer, Gary[steinbauer.gary@epa.gov]; Avila, Aaron[avila.aaron@epa.gov]
From: Gardinier, Susan
Sent: Mon 4/3/2017 8:53:54 PM
Subject: Re: Veolia ADR: Conference call next Tuesday

Good afternoon all, I am adding Judge Avila to this email.

From: Kellmeyer, Joseph <JKELLMEYER@thompsoncoburn.com>
Sent: Friday, March 31, 2017 6:47 PM
To: Gardinier, Susan
Cc: Kellmeyer, Joseph; Kemper, Ryan Russell; Garypie, Catherine; Krallman, John; Steinbauer, Gary
Subject: FW: Veolia ADR: Conference call next Tuesday

Susan –

Thank you for your e-mail. Veolia remains dedicated to resolving this matter with USEPA.

Unfortunately, despite Veolia's request, Gary's March 22nd e-mail failed to provide Veolia with the name and title of an EPA representative who had decision making and ultimate binding authority for the ADR process.

In light of the clear message contained within David Schnare's March 2nd e-mail that the Chief Administrator's office wished to be involved in matters such as this and the lack of clarity in Gary's e-mail, Veolia felt necessary to contact and meet with EPA's headquarters in Washington D.C. Veolia and Veolia's consultant therefore met with Administrator Pruitt and his chief of staff this past week. I did not attend the meeting. It is my understanding that Administrator Pruitt is currently reviewing the next steps in Veolia's permitting process. Therefore, I suggest that we delay the ADR process until Administrator Pruitt has finished his review and a clear path forward is determined. I am certain that all parties involved do not wish to proceed in a manner inconsistent with Administrator Pruitt's desires.

I appreciate your anticipated cooperation in this regard and will be back in touch once Administrator Pruitt provides a path forward.

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From: Gardinier, Susan [<mailto:Gardinier.Susan@epa.gov>]

Sent: Thursday, March 30, 2017 3:37 PM

To: Kellmeyer, Joseph; Kemper, Ryan Russell; Chamberlain, Sara L.; Harner, Benjamin S.; Garypie, Catherine; Steinbauer, Gary; Krallman, John

Cc: Avila, Aaron

Subject: Veolia ADR: Conference call next Tuesday

Good afternoon,

This is a reminder that we have the ADR status conference scheduled for Tuesday, April 4, at 3 pm Eastern Time/2 pm Central Time. Again, the call should last between 30 and 45 minutes, and we will use the time to discuss the parameters of the ADR proceeding as well as logistics for conducting the ADR.

In addition to Judge Avila and myself, thus far we have confirmed that Catherine Garypie and Gary Steinbauer will join the call on behalf of Region 5, and John Krallman from EPA's Office of General Counsel will also participate.

Counsel for Veolia: please "reply all" to this message and confirm who will be participating in the call next Tuesday.

Please use the following information to join the conference call next Tuesday:

Conference Line: (866) 299-3188

Conference Code: 2022330122#

As mentioned in my previous email, Judge Avila would like to receive your confidential

issue summaries no later than Friday, April 14. In addition, each party's signed agreement to participate in the ADR must be submitted no later than Friday, April 14. We can answer any questions you may have about the issue summaries or the agreement to participate on Tuesday's call.

Thank you for your cooperation, and we look forward to speaking with you next Tuesday.

Regards,

Judge Aaron Avila and Susan Gardinier Kimball, Senior Counsel to the Board

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